



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

September 21, 2010

Ms. Wendellyn Briggs  
FOIA Officer  
Town of Normal  
100 East Phoenix Avenue  
P.O. Box 589  
Normal, Illinois 61761-0589

RE: Pre-Authorization Request – 2010 PAC 9527  
Requester: Ms. Edith Brady-Lunny, *The Pantagraph*

Dear Ms. Briggs:

We have received and reviewed the written notice from the Town of Normal (Town) of its intention to deny disclosure of certain information as exempt from disclosure under Section 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/7(1)(c). The Town's written notice relates to a FOIA request submitted by Ms. Edith Brady-Lunny of *The Pantagraph* for records related to an incident at Kingsley Junior High School on May 18, 2010. The Town has asserted that dates of birth; the names, addresses and statements of juveniles who provided information to police; and the names, addresses and statements of parents of children who provided information to police are exempt from disclosure under Section 7(1)(c).

Section 7(1)(c) of FOIA exempts from inspection and copying "[p]ersonal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information." 5 ILCS 140/7(1)(c). The exemption defines "[u]nwarranted invasion of personal privacy" as "the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information." *Id.*

**Determinations**

The Town's use of the Section 7(1)(c) exemption with regard to dates of birth is **approved**. A date of birth is highly personal information, and the subjects' right to privacy with respect to this information outweighs any legitimate public interest in its disclosure. Thus, disclosure of dates


of birth would constitute a clearly unwarranted invasion of the personal privacy of the subjects of the information.

With regard to the names, addresses and statements of juveniles who provided information to police and the names, addresses and statements of parents of children who provided information to police, this information is exempt from disclosure under Section 7(1)(d)(iv) of FOIA. Use of this exemption does not require preapproval from our office.

Should you have questions or concerns, please feel free to contact me. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith  
Public Access Counselor

  
By: ~~Cara Smith~~  
Deputy Public Access Counselor

cc: Ms. Edith Brady-Lunny  
*The Pantagraph*  
301 West Washington Street  
Bloomington, Illinois 61702-2907

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